

AO 91 (Rev. 11/11) Criminal Complaint

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

Case: 2:21-mj-30214

Assigned To : Unassigned

Assign. Date : 5/6/2021

Description: U.S. V. DAVID WAYNE
MAXIM

United States of America

v.

David Wayne MAXIM

Case No.

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.


On or about the date(s) of April 17, 2021 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*

Title 8, United States Code, Section 1325(a)

Improper Entry by Alien

This criminal complaint is based on these facts:

On or about April 27, 2021, at or near Detroit, Michigan in the Eastern District of Michigan, Southern Division, David Wayne MAXIM, an alien from Canada was found in the U.S. after entering or attempting to enter the U.S. at any time or place other than as designated by immigration officers; in violation of Title 8, U.S.C., Section 1325(a).

☒ Continued on the attached sheet.
Complainant's signatureBenjamin Chapman, Border Patrol Agent
Printed name and titleSworn to before me and signed in my presence
and/or by reliable electronic means.Date: May 6, 2021City and state: Detroit, MI
Judge's signatureKimberly Altman, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, Benjamin Chapman, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. I have been employed in this capacity since February 2007. Currently, I am assigned to the Detroit Border Patrol Station, Department of Homeland Security Alliance Task Force. The facts set forth herein are based upon my personal knowledge, information provided by other law enforcement officers, record checks of law enforcement databases, and immigration records relating to David Wayne MAXIM, which reveal the following:
2. David Wayne MAXIM is a fifty-five-year-old male native and citizen of Canada who last entered the United States on April 27, 2021, without being inspected and admitted or paroled into the United States by an immigration officer.
3. On May 4, 2021, I was conducting task force duties in Oakland County, Michigan when I encountered MAXIM. MAXIM admitted to having crossed the international boundary illegally. I informed MAXIM that he was under arrest for being illegally present in the United States.
4. David Wayne MAXIM's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results revealed that David Wayne MAXIM is a citizen of Canada who has been previously denied entry into the United States on December 28, 2010.
5. Review of records from the A-file (A#: XXX-XX-099) for David Wayne MAXIM and queries in Department of Homeland Security databases revealed no record that David Wayne MAXIM had legally entered the United States after inspection by an immigration officer at a designated port-of-entry, or had been issued any immigration document that would allow him to enter or remain the United States, since being denied entry on December 28, 2010.
6. During processing, David Wayne MAXIM stated that he was a citizen of Canada, that he illegally entered the United States on April 27, 2021, by

crossing the Detroit River on a boat, and that he was not inspected by an immigration officer at that time.

7. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
8. Based upon the above, probable cause exists to believe that David Wayne MAXIM unlawfully entered the United States in violation of Title 8, United States Code, Section 1325(a)(1)(entering at a time and place other than as designated by immigration officers) and 1325(a)(2) (eluding examination or inspection by immigration officers).



Benjamin Chapman, Border Patrol Agent
United States Department of Homeland Security
United States Border Patrol

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Kimberly Altman
United States Magistrate Judge

Dated: May 6, 2021